

RESOLUTION NO. 74242

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH LOS LAGOS GOLF COURSE, LLC FOR CONSTRUCTION OF THE SAFETY IMPROVEMENTS AT LOS LAGOS GOLF COURSE, INCREASING THE AMOUNT TO \$2,219,071 AND EXTENDING THE TERM TO JANUARY 31, 2009

WHEREAS, in April 2002, the City of San José ("City") and Los Lagos Golf Course, LLC ("Los Lagos") entered into an agreement for the operation and maintenance of the Los Lagos Golf Course, which was amended in November 2003, whereby Los Lagos was authorized to manage construction projects for a fee based on the total cost of the projects; and

WHEREAS, in February 2007 the City and Los Lagos entered into an agreement for the design of safety improvements at Los Lagos Golf Course consisting of perimeter netting along holes 6, 17, and 18, extending the length of the holes and varying in height from 50 feet to 140 feet, and in September 2007, the City and Los Lagos entered into an agreement for the construction of the safety improvements; and

WHEREAS, in October 2007, Los Lagos opened the bids publicly for the safety improvements and found that the low bidder was \$375,200 over the projected budget, and in consultation with the design consultant and the City, determined that reductions to the scope of work for the safety improvements will not compromise the project in any manner and will result in a projected savings; and

WHEREAS, the City desires to negotiate and execute a first amendment to the agreement with Los Lagos Golf Course, LLC for construction of the safety

improvements at Los Lagos Golf Course, increasing the amount to \$2,219,071 and extending the term to January 31, 2009;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to negotiate and execute a first amendment to the agreement with Los Lagos Golf Course, LLC for construction of the safety improvements at Los Lagos Golf Course, increasing the amount to \$2,219,071 and extending the term to January 31, 2009.

ADOPTED this 26th day of February, 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, LICCARDO,
NGUYEN, PYLE, WILLIAMS, CORTESE.

NOES: NONE

ABSENT: OLIVERIO, REED.

DISQUALIFIED: NONE

DAVID CORTESE
Vice Mayor

ATTEST:

LEE PRICE, MMC
City Clerk